

S.N. 09/683,345

RD-28430

REMARKS

The Office action dated January 29, 2004 and the cited reference have been carefully considered.

Status of the Claims

Claims 1-42 are pending.

Claims 24-29 are allowed. Claims 2, 3, 6, 14, 15, 31, 33, 38, 39, and 41 are objected to as referring to a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Applicants wish to thank the Examiner for indicating that claims 24-29 are allowed, and that claims 2, 3, 6, 14, 15, 31, 33, 38, 39, and 41 would be allowable. Claims 2 and 31 have been rewritten in independent form to include all of the limitations of the applicable base claim. Therefore, claims 2 and 31 are in condition for allowance. Each of claims 3, 6, 14, 15, 33, 38, 39, and 41 depends on either claim 2 or claim 31. Therefore, these claims are now also in condition for allowance. Early allowance of these claims is respectfully requested.

Claims 1, 4, 5, 7-13, 16-23, 30, 32, 34-37, 40, and 42 are rejected under 35 U.S.C. § 102(e) as being anticipated by Duggal et al. (U.S. Patent 6,515,314; hereinafter "Duggal"). The Applicants respectfully traverse this rejection for the reasons set forth below.

Comments on the Examiner's Reasons for Allowance

The Applicants believe that the statements of reasons for allowance in this case is improper as they merely state that the claims are allowed or allowable because of the combinations of the limitations. While the Applicants believe that the claims are allowable, the Applicants do not acquiesce either that patentability resides in each feature, exactly as expressed in the claims, or that each feature is required for patentability.

Claim Rejection Under 35 U.S.C. § 102(e)

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Claims 1, 4, 5, 7-13, 16-23, 30, 32, 34-37, 40, and 42 are rejected under 35 U.S.C. § 102(e) as being anticipated by Duggal. The Applicants respectfully traverse this rejection because Duggal does not teach each and every element of each of claims 1, 4, 5, 7-13, 16-23, 30, 32, 34-37, 40, and 42.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a *single* prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987) (emphasis added). "The identical invention must be shown in as complete detail as is contained in the . . . claim." *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989).

Duggal does not disclose any organic photoluminescent material (i.e., a material absorbing light of one wavelength and emitting light of a different wavelength). Instead, Duggal merely discloses an inorganic PL material dispersed in the organic EL material. Column 2, lines 9-10 and lines 18-21.

In contradistinction, claims 1, 4, 5, 7-13, 16-23, 30, 32, 34-37, 40, and 42 recite an organic PL material disposed separate from the organic EL material.

The Applicants respectfully traverse the Examiner's assertion that Duggal's layer 42 is an organic PL material. Duggal's layer 42 is an electron injecting and transporting layer, which has a property of injecting and transporting electrons into the organic EL layer 40. Column 7, lines 42-44.

Since Duggal does not disclose each and every element of each of claims 1, 4, 5, 7-13, 16-23, 30, 32, 34-37, 40, and 42, Duggal does not anticipate these claims.

In view of the above, it is submitted that the claims are patentable and in condition for allowance. Reconsideration of the rejection is requested. Allowance of claims at an early date is solicited.

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Respectfully submitted,



Toan P. Vo, Ph.D.
Attorney for the Applicants
Registration No. 43,225
(518)387-6648

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